

MEMO ENDORSED

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October 19, 2022

By Email and Electronic Filing

The Honorable Nelson S. Román
 United States District Judge
 The Hon. Charles L. Brieant Jr.
 Federal Building and United States Courthouse
 300 Quarropas St.
 White Plains, NY 10601-4150

Re: *United States v. Justtin Haywood*, 21 Cr. 376 (NSR)

Dear Judge Román:

I respectfully write to advise the Court of the status of my representation of Justtin Haywood, the defendant in the above-referenced matter, and to respectfully ask to be relieved as CJA counsel for Mr. Haywood.

On September 9, 2022, I left the law firm at which I was practicing law, Davis Wright Tremaine LLP (“DWT”), and ceased practicing law, instead taking roles as Executive Director of NYU School of Law’s Program on Corporate Compliance and Enforcement and also as an Adjunct Professor at NYU. Since my transition, I have been in discussions with the Honorable Cathy Seibel, U.S. District Judge, regarding my resignation from the CJA Panel and the disposition of my current cases.

Both before and after my transition, I sought to remain as counsel on my current cases. First, I approached DWT to see if they would be willing to allow me to remain affiliated with the firm, and be covered by their malpractice insurance, but they denied my request. Next, I sought to continue my CJA representations through NYU’s law school and clinical programs, but was informed, after weeks of discussions, that any such work would be purely in my individual capacity and, therefore, would not be covered by NYU’s malpractice insurance. Finally, I spoke with an insurance broker about acquiring my own malpractice insurance, but determined that such coverage (including a “tail” policy) would be prohibitively expensive, particularly as I am not otherwise practicing law at this time and such insurance would be solely for my remaining CJA cases.

Accordingly, I must regrettably seek to be relieved as counsel for Mr. Haywood and for new CJA counsel to be appointed. I have spoken with Mr. Haywood, advised him of my transition and my intention to make this application, and he indicated no objection.

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After discussions between Steven Feldman, Esq., and the Honorable Cathy Seibel, U.S. District Judge, regarding my resignation from the CJA Panel and the disposition of my current cases, Mr. Feldman has expressed a willingness to be assigned as counsel for Mr. Haywood. Mr. Feldman shared a CJA panel spot with me prior to my resignation. Accordingly, for the reasons stated above, I respectfully request that the Court relieve me as counsel for Mr. Haywood and appoint Mr. Feldman as counsel.

Respectfully submitted,

/s/ J.P.F.

Joseph P. Facciponti, Esq.

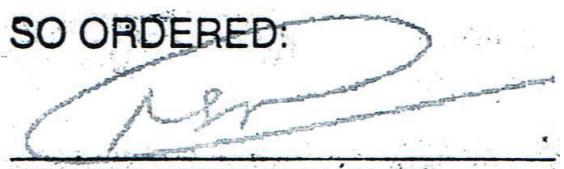
cc (by ECF & Email):
AUSA Kevin Sullivan

(by Email)
Steven Feldman, Esq.

Deft. counsel Joseph P. Facciponti's request to be relieved as CJA counsel is GRANTED and Steven Feldman is appointed as CJA counsel of record for Deft. Justtin Haywood without objection by Deft. Mr. Feldman is directed to file a Notice of Appearance. Clerk of Court is requested to terminate the motion at ECF No. 47.

**Dated: White Plains, NY
Oct. 21, 2022**

SO ORDERED:


**HON. NELSON S. ROMÁN
UNITED STATES DISTRICT JUDGE**